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SUBJECT: ADVISOR TO MFA SAYS SYRIANS REMAIN NERVOUS ABOUT  
TRIBUNAL

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11. (C) SUMMARY: THE SYRIAN REGIME CONTINUES TO FEAR THE FORMATION OF A SPECIAL LEBANON TRIBUNAL, WORRYING THAT IT COULD FIND ITSELF UNDER SUSTAINED INTERNATIONAL OPPROBRIUM AND ISOLATION, EVEN IF SENIOR MEMBERS OF THE REGIME ARE NOT ACCUSED OF INVOLVEMENT IN THE ASSASSINATION OF LEBANESE PM RAFIK AL-HARIRI, ACCORDING TO DR. SAMIR AL-TAQI, AN ADVISOR TO THE MFA AND A CONFIDANT OF FM WALID MUALLIM. ON THE INVESTIGATION, THE REGIME BELIEVES IT HAS STEERED BRAMMERTZ TOWARDS EVIDENCE IMPLICATING SUNNI EXTREMISTS, IN WAYS THAT WILL MAKE IT MORE DIFFICULT FOR HIM TO IMPLICATE REGIME FIGURES. FOR AL-TAQI, SYRIAN FEARS OVER THE TRIBUNAL LARGELY EXPLAIN THE POLITICAL UNREST IN LEBANON AND PRESAGE GROWING INSTABILITY IF SYRIA HAS ITS WAY. ON OTHER ISSUES, AL-TAQI ASSESSED THAT SYRIAN OFFICIALS ARE SINCERE ABOUT REACHING A PEACE DEAL WITH ISRAEL ON THE GOLAN, BUT WOULD PREFER AN EXTENDED NEGOTIATING PROCESS TO REACH THAT GOAL SINCE IT WOULD ALSO SERVE TO PROLONG THE LIFE OF THE REGIME. INTERNALLY, THE REGIME IS IN A STRONG POSITION BUT REMAINS EXTREMELY NERVOUS. THE EXECUTION OF SADDAM HAS BEEN VIEWED IN SYRIA AS A TROUBLING EXAMPLE OF ASCENDANT SHIA AND IRANIAN REGIONAL POWER. END SUMMARY.

12. (C) REGIME MOTIVATED BY FEARS OVER TRIBUNAL: INFORMAL MFA ADVISOR ON LEGAL STRATEGY TOWARDS THE UNIIIC INVESTIGATION DR. SAMIR AL-TAQI TOLD CHARGE JANUARY 8 THAT THE REGIME IS NERVOUS ABOUT THE FORMATION OF THE SPECIAL LEBANON TRIBUNAL (SLT) AND THAT THESE FEARS HAVE AFFECTED TO SOME DEGREE THE SARG'S ATTITUDE TOWARDS BRAMMERTZ'S ONGOING EFFORTS. THE REGIME FEARS RETURNING FOR A SUSTAINED PERIOD TO THE POSITION OF OCTOBER 2005, WHEN IT FELT ITSELF UNDER TREMENDOUS INTERNATIONAL PRESSURE AND SCRUTINY, A SITUATION IT WOULD FIND INTOLERABLE, NOTED AL-TAQI, A FOREIGN AFFAIRS ANALYST AND CONFIDANT OF FM MU'ALLIM WHO ALSO MAINTAINS AMICABLE RELATIONS WITH GID HEAD ALI MAMLUK. THE FEAR IS THAT A RETURN TO SUCH A POSITION IS POSSIBLE EVEN IF THE HIGHEST-LEVEL FIGURES IN THE REGIME ARE NOT ACCUSED OF COMPLICITY IN THE ASSASSINATION OF FORMER LEBANESE PM RAFIK AL-HARIRI.

13. (C) NOT BOTHERED AS MUCH BY UNIIIC INVESTIGATION: THE REGIME IS NOT BOTHERED SO MUCH ABOUT ANY SPECIFIC DEVELOPMENTS WITH THE INVESTIGATION ITSELF, SENSING THAT UNIIIC'S ENERGY AND THE COHESIVENESS OF ITS TEAM HAVE FALLEN OFF A BIT IN THE PAST FEW MONTHS. ACCORDING TO AL-TAQI, A FEW FIGURES IN UNIIIC WHO PROVIDED CONTINUITY BETWEEN THE MEHLIS AND BRAMMERTZ INVESTIGATIONS ARE LEAVING THE TEAM, ALTHOUGH HE DID NOT PROVIDE SPECIFICS. IN ADDITION, THE

REGIME FEELS IT HAS PROVIDED UNIIIC WITH ENOUGH INTELLIGENCE ON AL-QAIDA IN LEBANON AND ON OTHER RADICAL SUNNI GROUPS TO CREATE A PLAUSIBLE ARGUMENT THAT SOME OF THESE ELEMENTS WERE INVOLVED IN THE KILLING OF HARIRI. THIS HAS TO SOME DEGREE INSULATED SENIOR SYRIAN REGIME FIGURES FROM BEING IMPLICATED IN THE EVIDENCE BEING COMPILED ABOUT THE EXECUTION OF THE PLOT TO KILL HARIRI AND, ACCORDING TO AL-TAQI, WILL COMPEL BRAMMERTZ AND THE TRIBUNAL TO CONSTRUCT ELABORATE, ESSENTIALLY SPECULATIVE SCENARIOS OF COMMAND AND CONTROL THAT ARE NOT LIKELY TO STAND UP IN COURT. (COMMENT: IN PREVIOUS CONVERSATIONS, AL-TAQI HAS MADE CLEAR THE SARG, WHICH HAS EXTENSIVE INTELLIGENCE ON THESE GROUPS, HAD SELECTIVELY PROVIDED SUCH INFORMATION TO BRAMMERTZ'S TEAM, AS A WAY OF HELPING SHAPE THE TEAMS CONCLUSIONS.)

14. (C) TRIBUNAL CONCERNS EXPLAIN LEBANON SITUATION: AL-TAQI ACKNOWLEDGED THAT SYRIAN FEARS ABOUT FORMATION OF THE TRIBUNAL EXPLAINED TO A LARGE DEGREE INTERNAL POLITICAL DEVELOPMENTS IN LEBANON OVER THE PAST FEW MONTHS. IN HIS VIEW, THE SARG SUPPORTS FURTHER ESCALATION IN LEBANON THAT WOULD SERVE TO DERAIL PROSPECTS FOR SETTING UP THE TRIBUNAL. HOWEVER, SYRIA'S ALLIES ALL HAVE SOMEWHAT DIFFERENT TAKES ON THE DANGERS POSED BY THE TRIBUNAL. HIZBALLAH IS NERVOUS ABOUT AN OVERLY ZEALOUS APPROACH THAT COULD JEOPARDIZE ITS POLITICAL COVER AND FORCE IT INTO A OVERTLY SECTARIAN POSITION THAT WOULD BE POLITICALLY DAMAGING IN LEBANON, ASSESSED AL-TAQI. THE IRANIANS ARE WORKING BEHIND THE SCENES WITH THE SAUDIS TO DE-ESCALATE THE SITUATION IN LEBANON, ANOTHER TREND THAT BOTHERS THE SYRIANS AND THAT DIVERGES WITH THE SARG'S CALCULATION OF ITS INTERESTS IN LEBANON, HE ADDED.

15. (C) IN AN ASIDE, AL-TAQI ASKED WHY THE U.S., IF IT BELIEVED IN LEBANESE PM SINIORA SO MUCH AND WANTED TO SEE HIM SURVIVE POLITICALLY, DID NOT EXERT MINIMAL PRESSURE ON THE

ISRAELIS TO TAKE MODEST STEPS, OR SEND SIGNALS, THAT COULD HELP HIM TREMENDOUSLY. AL-TAQI MENTIONED "THE PRISONER ISSUE" AND SHEBA'A FARMS AND SAID THAT ISRAELI SIGNALS OF FLEXIBILITY ON EITHER ISSUE COULD PROVIDE SINIORA WITH POLITICAL-LIFE-SAVING SUPPORT. AL-TAQI CLARIFIED THAT HE WAS REFERRING TO LEBANESE POLITICAL PRISONERS BEING HELD BY THE ISRAELIS.

16. (C) IN AL-TAQI'S ESTIMATION, SYRIA HAS RECEIVED SOME GUARANTEES FROM THE RUSSIANS ON THE TRIBUNAL. IN HIS VIEW, PUTIN SUPPORTS FORMATION OF THE TRIBUNAL, AT LEAST IN THE ABSTRACT, ALTHOUGH HIS POSITION IS LESS FORTHRIGHT IN THE ABSENCE OF CLEAR LEBANESE GOVERNMENT ENDORSEMENT OF THE TRIBUNAL, SOMETHING THUS FAR LACKING. GIVEN THEIR EXPOSURE OVER CHECHNYA THE RUSSIANS ARE ANXIOUS ABOUT LEGAL PRECEDENTS INVOLVED IN TRIBUNALS BEING FORMED WITHOUT EXPLICIT GOVERNMENT ENDORSEMENT, OR AT LEAST ARE USING THIS ARGUMENT AS A PRETEXT TO ATTENUATE THEIR SUPPORT FOR THE SLT, ASSESSED AL-TAQI. HE ALSO FELT THAT THE RUSSIANS WOULD NOT SUPPORT ANY UNSC TRIBUNAL FORMATION UNDER CHAPTER VII, IN THE EVENT THE LEBANESE ARE UNABLE TO MOVE FORWARD BY THEMSELVES.

17. (C) BRITISH LEGAL TEAM IN TOWN: AL-TAQI TOLD CHARGE THAT MEMBERS OF A BRITISH LEGAL DEFENSE TEAM ASSISTING THE SARG IN ITS DEALINGS WITH UNIIIC, LED BY ATTORNEY CLAIRE MONTGOMERY, HAD ARRIVED SOMEWHAT UNEXPECTEDLY IN DAMASCUS JANUARY 7 AND THAT HE HAD BEEN SUMMONED THE MORNING OF JANUARY 8 TO MEET WITH THEM. HE HAD BEEN TOLD THEY HAD RETURNED FROM CONSULTATIONS IN NEW YORK WITH UN OFFICIALS. AL-TAQI DESCRIBED THE LEGAL DEFENSE EFFORTS OF TEAM AS ONE PRONG OF THE SARG STRATEGY TO COUNTER THE UNIIIC INVESTIGATION AND FORMATION OF THE SLT, THE OTHER CRITICAL EFFORT BEING THE BEHIND-THE-SCENES SUPPORT FOR EFFORTS TO DESTABILIZE THE SINIORA GOVERNMENT.

18. (C) ON GOLAN SIGNALS: REGARDING RECENT SARG SIGNALS OF FLEXIBILITY ON RE-OPENING NEGOTIATIONS WITH ISRAEL ON THE GOLAN, AL-TAQI DISCOUNTED TO SOME DEGREE A MINORITY VIEW POPULAR IN OPPOSITION CIRCLES WHICH ARGUES THAT ASAD DOES NOT REALLY WANT -- AND CANNOT REACH -- A PEACE AGREEMENT WITH ISRAEL THAT WOULD RESOLVE THE GOLAN ISSUE. IN HIS VIEW, THE

REGIME IS INTERESTED IN REACHING SUCH AN AGREEMENT, AND IS CAPABLE OF REACHING SUCH AN AGREEMENT. AL-TAQI ADDED, HOWEVER, THAT THE REGIME PREFERS EXTENDED NEGOTIATIONS. GETTING THE NEGOTIATIONS RE-STARTED WOULD PROVIDE THE REGIME WITH A "LIFE INSURANCE POLICY" (FOR AT LEAST AS LONG AS THEY CONTINUED), AND THE PROSPECT OF OBTAINING THAT "POLICY," IN ADDITION TO THE FUTURE PROMISE OF A RETURN OF THE GOLAN, MOTIVATES THE REGIME TO MAKE CONTINUAL EFFORTS TO SPARK RENEWED INTEREST IN A GOLAN PEACE PROCESS.

9. (C) INTERNAL POLITICAL SCENE, UPCOMING ELECTIONS: ADDRESSING THE INTERNAL POLITICAL SCENE, AL-TAQI ACKNOWLEDGED THAT SARG PRESSURE ON SYRIAN CIVIL SOCIETY AND ALREADY-WEAKENED OPPOSITION VOICES REMAINS OVERPOWERING. IN HIS VIEW, THE PRESSURE REVEALS THE LEVEL OF REGIME NERVOUSNESS, DESPITE ITS OVERWHELMINGLY DOMINANT POSITION INTERNALLY. WHEN ASKED WHY THE CONTINUED NERVOUSNESS, GIVEN THE LEVEL OF CONTROL, AL-TAQI NOTED THAT THE GOVERNMENT, DESPITE THE BA'ATH PARTY AND SECURITY SERVICES, DOES NOT HAVE GOOD CONTROL OF THE POLITICAL PROCESSES AT THE GRASS-ROOTS LEVEL. IT CAN STILL USE FORCE AND COERCION TO GET ITS WAY, BUT IS NOT VERY ADEPT AT USING POLITICAL METHODS. HE LIKENED IT TO SUCCESS WITH "THE FIST" BUT NOT WITH THE DEXTERITY AND MANIPULATION OF POLITICAL PROCESSES THAT EVEN BASHAR AL-ASAD'S FATHER, HAFEZ, USED WITH GREATER SUCCESS. REGARDING UPCOMING PARLIAMENTARY ELECTIONS AND A PRESIDENTIAL REFERENDUM IN THE SPRING, AL-TAQI POINTED TO REGIME NERVOUSNESS THAT EVEN A SMALL NUMBER OF MP'S MIGHT, FOR EXAMPLE, SUGGEST WAYS "TO IMPROVE" THE PRESIDENTIAL ELECTIONS (CURRENTLY AN UNOPPOSED REFERENDUM THAT WILL BE USED TO RE-ELECT ASAD). IN THE GEZIRA AREA IN THE NORTHEAST, THE REGIME WORRIES THAT KURDS AND ARAB TRIBESMEN, FOR EXAMPLE, ARE CLOSER TO EACH OTHER THAN EITHER GROUP IS TO THE GOVERNMENT, SAID AL-TAQI.

10. (C) SADDAM AND FEARS OF GROWING IRANIAN INFLUENCE: COMMENTING ON THE EXECUTION OF SADDAM HUSSEIN, AL-TAQI SAID THE HANGING HAD UPSET MANY SYRIANS (PRIMARILY IN THE MAJORITY SUNNI COMMUNITY), WHO SEE IT AS AN EXAMPLE OF UNSETTLING -- BUT GROWING -- SHIA AND IRANIAN INFLUENCE IN IRAQ AND THE REGION. AL-TAQI NOTED THAT IRANIAN INFLUENCE IN SYRIA CONTINUES TO EXPAND, ALSO CREATING UNEASE IN MANY CIRCLES, INCLUDING THE MILITARY AND DAMASCENE BUSINESS ELITES. IN THE

SYRIAN MILITARY, FOR EXAMPLE, THE REGIME IS TRYING TO KEEP INCREASING COOPERATION WITH IRAN LOW-PROFILE, TO AVOID CREATING TOO MUCH RESISTANCE, ALTHOUGH HE DESCRIBED SUCH MILITARY COOPERATION AS SIGNIFICANT AND "AGGRESSIVE."

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